THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITON NO. 1223 OF 1999

DATED: 12-07-2006

BETWEEN:

Sri Devi Finance, Tuni, East Godavari
Rep.by its Prop. Nerella Apparao

… Petitioner

And

Project Officer, Integrated Tribal
Development Agency, Paderu,
Visakhapatnam District and another

…Respondents

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITON NO. 1223 OF 1999

ORDER:

This writ petition has been filed by the petitioner seeking to declare the action of the 1st respondent in holding the Tractor AP 31 U 3020 covered under hire purchase agreement dated 31-03-1998 entered into by the 2nd respondent with the petitioner, in his custody, without allowing the petitioner to exercise his rights under the said agreement as illegal and arbitrary and without following due process of law.

I am of the opinion that after the long lapse of time, the subject matter of the writ petition may not survive. However, to verify it is posted for dismissal today, as there was no representation on 05-07-2006. Today when the matter is taken up for hearing, a request has been made by some other advocate that the counsel for the petitioner is not ready.

Writ petition is accordingly dismissed for default on behalf of the petitioner. No costs.

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V. ESWARAIAH, J.

Dated: 12-07-2006
RNS